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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: David H. Davies; David L. Blankenbeckler; Michael Braitberg  
Assignee: DPHI Acquisitions, Inc.  
Title: First-side Dual Layer Optical Data Storage Disk and Method of Manufacturing the Same  
Application No.: 09/764,042 Filing Date: 01/16/2001  
Examiner: Krynski Group Art Unit: 2651  
Docket No.: M-9998 US

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Irvine, California  
September 9, 2003

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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.56**

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

***Enclosed with this statement are the following:***

- ☒ Form PTO-1449 (*Substitute*). The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98 (*except where otherwise indicated for a specific citation*).

Complete copies are not submitted of U.S. applications per 37 C.F.R. §1.98(a)(2)(iii), and copies are not submitted of documents already cited or submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed per 37 C.F.R. §1.98(d). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevancy is provided pursuant to 37 C.F.R. §1.98(a)(3). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. 57 F.R. 2021 (1/17/92). If a written

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English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement. 37 C.F.R. §1.98(c).

*This statement should be considered because:*

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within 3 months of the application filing date;  
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;  
-- OR --
- (3) It is being filed before the mailing date of a first Office action *on the merits*,  
-- OR --
- (4) It is being filed before the mailing date of a first Office action *after the filing of an RCE*

whichever occurs last.

☒ Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action and before a Notice of Allowance or another action closing prosecution (whichever occurs first)

-- AND (check at least one of the following) --

- ☒ (1) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p)  
-- OR --
- ☐ (2) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e)

☐ Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is accompanied by a CERTIFICATION as set forth in 37 C.F.R. §1.97(e);  
-- AND --
- (2) It is accompanied by a STATEMENT TO ACCEPT INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(d);  
-- AND --
- (3) It is accompanied by the fee set forth in 37 C.F.R. §1.17(p);  
-- AND --
- (4) The Issue Fee has not been paid prior to the submission.

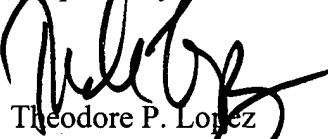
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the \$180.00 fee required for this Information Disclosure Statement to Deposit Account No. 50-2257. Please charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-2257. A duplicate copy of this authorization is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 9, 2003.

Adriane Giberson  
Adriane Giberson

9/9/03  
Date of Signature

Respectfully submitted,

  
Theodore P. Lopez  
Attorney for Applicants  
Reg. No. 44,881

U.S. Department of Commerce, Patent and Trademark Office					Atty Docket No.		Serial No.	
					M-9998US		09/764,042	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					Applicant(s)			
(Use several sheets if necessary)					David H. Davies et al.			
					Filing Date		Group	
					01/16/2001		2651	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT  
 SEP 12 2003  
 PATENT & TRADEMARK OFFICE

U.S. Patent Documents							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	4,774,170	09/27/1988	Pan et al.	430	495	
	AB	4,798,785	01/17/1989	Pan et al.	430	495	
	AC	4,812,386	03/14/1989	Pan et al.	430	290	
	AD	5,972,459	10/26/1999	Kawakubo et al.	428	64.1	
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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Foreign Patent Documents							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AL	EP 0 945 860	03/25/1999	EP	G11B	7/24	X	
	AM	EP 0 969 452	12/19/1997	EP	G11B	7/00	X	
	AN	JP 03-086943	03/14/1990	Japan	G11B	7/24	X	
	AO	JP 09-198712	01/23/1996	Japan	G11B	7/24	X	
	AP	JP 10106049 [w/Abstract]	09/27/1996	Japan	G11B	7/26	X	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
AQ	Database WPI, Section PQ, Week 199939, Derwent Publications Ltd., London, GB: Class P73, AN 1999-0464078, XP002204263 and JP 11 195243 A (Sony Corp.) 21 July 1999 (1999-07-21)
AR	
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Examiner	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.		
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	AA							
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	AF							
	AG							
	AH							
	AI							
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AJ	JP 2000268417 [w/Abstract]	03/18/1999	Japan	G11B	7/26	X	
	AK	JP 2000285517 [w/Abstract]	03/30/1999	Japan	G11B	07/24	X	
	AL	WO 99/39337	01/30/1998	PCT	G11B	7/00	X	
	AM	WO 00/72312	05/20/1999	PCT	G11B	3/70	X	
	AN	WO 00/79526	06/23/1999	PCT	G11B	7/24	X	
	AO	WO 01/16947 [w/Abstract]	08/31/1999	PCT	G11B	7/004	X	
	AP	WO 01/18802 [w/Abstract]	09/08/1999	PCT	G11B	7/24	X	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AQ							
	AR							
	AS							
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